

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTERS HEALTH AND WELFARE	:	CIVIL ACTION
FUND OF PHILADELPHIA AND	:	
VICINITY, et al.	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
BACHERT CONSTRUCTION	:	
a/k/a BACHERT CONSTRUCTION MODULAR	:	
SET-UP, et al.	:	
	:	
Defendants	:	NO. 02-4685

**REQUEST TO CLERK TO ENTER DEFAULT
PURSUANT TO FED. R. CIV. PRO. 55(a)**

You will please enter a default on Defendants Bachert Construction a/k/a Bachert Construction Modular Set Up and Wayne Bachert for failure to plead or otherwise defend as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached Declaration of Richard J. DeFortuna, Esquire.

Respectfully submitted,

JENNINGS SIGMOND, P.C.

By: s/RICHARD J. DeFORTUNA
SANFORD G. ROSENTHAL (ID. NO. 38991)
RICHARD J. DeFORTUNA (ID NO. 86260)
The Penn Mutual Towers, 16th Floor
510 Walnut Street
Philadelphia, PA 19106-3683
(215)351-0611/0674

Attorney for Plaintiffs

Date: September 26, 2002

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VICINITY, et al.	:	
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Plaintiffs	:	
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BACHERT CONSTRUCTION	:	
a/k/a BACHERT CONSTRUCTION MODULAR	:	
SET-UP, et al.	:	
	:	
Defendants	:	NO. 02-4685

**DECLARATION OF RICHARD J. DeFORTUNA, ESQUIRE
FOR ENTRY OF DEFAULT**

Richard J. DeFortuna, having been first duly sworn according to law, hereby deposes and states as follows:

I am an attorney for the Plaintiffs in the above-entitled action.

The Complaint and Summons in this action was served on the Defendants, Bachert Construction a/k/a Bachert Construction Modular Set Up and Wayne Bachert by Walt Thomas, Process Server, on August 3, 2002 as appears from the Affidavit of Service of said Summons, which has been duly docketed with the Court. The time in which Defendants may answer or otherwise move as to the Complaint has expired.

The Defendants have not answered or otherwise moved and the time for Defendants to answer or otherwise move has not been extended.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

DATE: September 26, 2002

s/RICHARD J. DeFORTUNA
RICHARD J. DeFORTUNA, ESQUIRE

CERTIFICATE OF SERVICE

I, Richard J. DeFortuna, Esquire state under penalty of perjury that I caused a copy of the foregoing Request to Clerk to Enter Default Pursuant to Fed. R. Civ. Pro. 55(a) to be served via first class mail, postage prepaid on the date and to the addresses below:

Bachert Construction a/k/a
Bachert Construction Modular Set-Up
Wayne Bachert
428 Elm Street
Tamaqua, PA 18252

and

Gregory L. Mousseau, Esquire
Pine Ridge Professional Bldg.
Jim Thorpe, PA 18229

DATE: September 26, 2002

s/RICHARD J. DeFORTUNA
RICHARD J. DeFORTUNA

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